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10 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

11 ROBERT KENNY,

12 Plaintiff,

No. C14-1987 RSM

13 v.

14 PACIFIC INVESTMENT MANAGEMENT  
15 COMPANY LLC, a Delaware limited liability  
16 company; PIMCO INVESTMENTS LLC,

17 Defendant.

**STIPULATION AND ORDER OF  
DISMISSAL WITH PREJUDICE AND  
WITHDRAWAL OF ALL PENDING  
MOTIONS**

18 Plaintiff Robert Kenny (“Plaintiff”) and Defendants Pacific Investment Management  
19 Company LLC and PIMCO Investments LLC (collectively, “Defendants”), through their  
20 undersigned counsel of record, hereby stipulate and agree as follows:

21 The parties hereby withdraw from the Court’s consideration their pending cross-motions  
22 for summary judgment and all briefing, declarations, exhibits, and supporting materials offered in  
23 support thereof. For the avoidance of doubt, pursuant to LCR 5(g)(6), in light of their withdrawal,  
24 the parties request that material currently filed under seal remain sealed. The docket entries  
25 withdrawn from consideration are ECF Nos. 151, 152, 153, 154, 155, 156, 157, 160, 161, 162,

26 STIPULATION AND ORDER  
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(No. CV 14-1987-RSM) – 1

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163, 165, 169, 177, 178, 179, 180, 181, 185, 187, 188, 189, 192, 193, 194, 195, 196, 198, 199, 202, 203, 204, 205, 207, 208, 211, and 231.

The parties further stipulate and agree that, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), this action should be, and hereby is, dismissed with prejudice and without costs awarded by the Court to any party.

Although the parties agree that this stipulation of dismissal is effective “without a court order,” Fed. R. Civ. P. 41(a)(1)(A), a proposed Order is enclosed in light of the parties’ withdrawal of their cross-motions for summary judgment.

DATED this 8th day of August, 2018.

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By: s/ Laura R. Gerber

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(No. CV 14-1987-RSM) – 2

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Investments LLC*

## ORDER

Pursuant to stipulation by the parties, and for good cause shown:

1. The parties' pending cross-motions for summary judgment and all briefing, declarations, exhibits, and supporting materials offered in support thereof are hereby **WITHDRAWN** from consideration, including ECF Nos. 151, 152, 153, 154, 155, 156, 157, 160, 161, 162, 163, 165, 169, 177, 178, 179, 180, 181, 185, 187, 188, 189, 192, 193, 194, 195, 196,

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(No. CV 14-1987-RSM) – 3

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198, 199, 202, 203, 204, 205, 207, 208, 211, and 231.

2. Any material referenced in paragraph (1) that was filed under seal shall **REMAIN SEALED** and shall not be unsealed.

3. The case is **DISMISSED WITH PREJUDICE** pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

**IT IS SO ORDERED** this 12<sup>th</sup> day of October 2018.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE

Presented by:

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(No. CV 14-1987-RSM) – 4

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(No. CV 14-1987-RSM) – 5

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